

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Daniel PEREZ-Gudino

Case No.

2:14-mj-552

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 22, 2014 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

8 USC 1326(a)

and

18 USC 911

Offense Description

being an alien, that is, a citizen of Mexico who was ordered deported and removed from the United States on or about 11/22/2002, was found in Pataskala, Ohio on 10/22/2014, without, prior to his re-entry and at a place outside the United States, obtaining the consent of the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States, in violation of section 8 USC 1326(a) and being an alien, that is, a citizen of Mexico, falsely and willingly represented himself as a citizen of the United States.

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

Christopher Norris, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/27/2014City and state: Columbus, OH


Judge's signature

Norah McCann King, US Magistrate Judge

Printed name and title

AFFIDAVIT OF
CHRISTOPHER S. NORRIS
DEPORTATION OFFICER
IMMIGRATION AND CUSTOMS ENFORCEMENT

I, Christopher S. Norris, being first duly sworn, depose and say:

1. That I am a Deportation Officer with over 7 years of experience as an Immigration Enforcement Officer with the United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, Ohio Office of Detention and Removals. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Glynco, GA.

My investigation has revealed the following facts:

2. That on or about 11/22/2002, Daniel PEREZ-Gudino, a citizen of ^{Mexico} Honduras, was ordered removed by an Immigration Judge in Detroit, MI. PEREZ-Gudino was physically removed on this order on or about 11/26/2002 at Hidalgo, TX Port of Entry. On that day PEREZ-Gudino surrendered his fingerprint and photo for Immigration form I-205 (Warrant of Removal/Deportation) of which he signed. PEREZ-Gudino's departure was witnessed and signed by an Immigration Officer. CSA
3. That on 3/14/2011, PEREZ-Gudino filed the Application for Ohio Driver License or ID Card. At that time, PEREZ-Gudino presented a Certified Texas Birth Certificate and Social Security card, 628-XX-XXXX, issued under the name Enrique SALAMANCA III. The Social Security Administration has confirmed that the above listed Social Security number has not been assigned Daniel PEREZ-Gudino. The Social Security Number IS assigned to Enrique SALAMANCA III. However, Enrique SALAMANCA III, with this Social Security number, and the date of birth, 7/9/1993, is currently incarcerated in the Texas Department of Criminal Justice. PEREZ-Gudino checked the box on the application claiming to be a United States Citizen. Pursuant to the application, PEREZ-Gudino was issued Ohio Driver's license number SV229553 under the name Enrique SLAMANCA III, DOB 2/12/1980.
4. That on or about 10/22/2014 PEREZ-Gudino was encountered by the Columbus, OH Fugitive Operations Team in Pataskala, OH. PEREZ-Gudino was targeted for arrest by the team as a previously removed alien who had assumed the identity of a United States citizen. It was determined after a verification of fingerprints that PEREZ-Gudino had a prior order of removal from the United States and that PEREZ-Gudino is subject to prosecution for

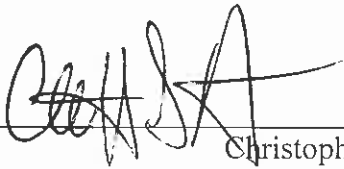
illegal re-entry, being found in the United States after being barred for a period of 10 years.

5. Records checks confirmed that PEREZ-Gudino did not receive permission from the Attorney General of the United States, or the Secretary of the United States Department of Homeland Security for this entry.

Your Affiant uses the above facts to establish probable cause for a violation of 8 USC 1326(a), an alien who: has been denied admission, excluded, deported, or removed, or has departed the U.S. while and order of exclusion, deportation or removal is outstanding, and thereafter enters, attempts to enter, or at any time found in, the U.S., unless prior to re-embarkation at a place outside the U.S. or an application for admission from a foreign contiguous territory, the Attorney General has expressly consented to such alien's reapplying for admission;

And

18 USC 911, Whoever Falsely and willfully represents himself to be a citizen of the United States;



Christopher S. Norris
Deportation Officer
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 27th day of October, 2014.



Norah McCann King, U.S. Magistrate Judge